

FILED

6/27/2019

Clerk, U.S. District Court
District of Montana
Helena Division

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

EARLINE COLE, CLETUS COLE,
and PRECIOUS BEARCRANE, a
minor child,

Plaintiffs,

vs.

FEDERAL BUREAU OF
INVESTIGATIONS, et al.,

Defendants.

No. CV 09-21-BLG-SEH

ORDER

This action was filed on February 24, 2009, by Jean Bearcrane, Esq.
("Bearcrane") appearing as counsel of record for Plaintiffs.

On February 24, 2009, Bearcrane moved for admission *pro hac vice* of
Patricia S. Bangert, Esq. ("Bangert"), of Denver, Colorado as additional counsel
for Plaintiffs.¹

¹ Doc. 2.

The motion for admission *pro hac vice* of Bangert was granted by Judge Ostby on February 25, 2009.²

On June 11, 2019, the Court set Defendants' Motion for Summary Judgment for hearing at 10:00 a.m. on July 2, 2019.³ Bearcrane as one of counsel of record for Plaintiffs, was granted permission to appear at the hearing via video conference.⁴ The hearing was reset by order of Court for 9:00 a.m. on July 2, 2019.⁵

On June 25, 2019, Lisa A. Speare, Esq. ("Speare"), entered appearance as additional counsel of record for Plaintiffs.⁶

On June 26, 2019, Bearcrane filed a Motion for Leave for the Withdrawal of Counsel of Record stating, inter alia:

1. Plaintiffs have obtained new counsel, Attorney Lisa Speare, Speare Law Firm in which firm is located in Billings, Montana.
2. Attorney Speare recently entered her appearance in this cause, Docket No. 257.

² Doc. 4. Admission of Bangert, *pro hac vice*, was subject to the terms and conditions of the rules of this Court.

³ Doc. 255.

⁴ Doc. 255.

⁵ Doc. 256.

⁶ Doc. 257.

3. The entry of Attorney Speare does not leave the Plaintiffs without local counsel and is not contrary to Rule 83.3(b).
4. The Plaintiffs have consented to the withdrawal of the undersigned counsel.
5. The granting of leave to permit the withdrawal of the undersigned does not prejudice the parties herein.⁷

Nothing in the motion to withdraw indicates compliance with L.R. 7.1(c)(1).

No consent by Plaintiffs to the withdrawal of Bearcrane as counsel has been filed.

Speare has not filed notice with the Court of agreement and consent to assume and perform the duties of local counsel with *pro hac vice* counsel Bangert as required by L.R. 83(d)(6).

ORDERED:

1. Notwithstanding Plaintiffs' failure to comply with L.R. 7.1(c)(1), the Court will take up and consider the Motion for Leave for the Withdrawal of Counsel of Record at 9:00 a.m. on July 2, 2019, in advance of the hearing on Defendants' Motion for Summary Judgment.

2. All counsel of record for Plaintiffs are expected to be in attendance

⁷ Doc. 258 at 2.

for the July 2, 2019, motions hearings.

DATED this 27th day of June, 2019.


SAM E. HADDON
United States District Judge